PRINCETON PLANNING BOARD

| In the Matter of the Application of |) | FINDINGS OF FACT AND CONCLUSIONS OF LAW File No. P2222-288P |
|---|---|--|
| The Hun School of Princeton – Poe |) | |
| Dorm for Preliminary and Final Major |) | |
| Site Plan Approval |) | |
| | | |

Be it resolved by the Planning Board of the Municipality of Princeton that the action of this Board on May 4, 2023 in this matter is hereby memorialized by the adoption of this written decision setting forth the Board's findings and conclusions.

BACKGROUND

- 1. The Hun School is located on 44.93 (+/-) acres within the Education E-4 zoning district (the E-4 zone") on several lots bordered by Edgerstoune Road to the northeast, Winant Road to the southeast, Russell Road to the southwest, and residential properties to the northwest. This application concerns a portion of the campus identified as Lot 1 of Block 8203, an 8.9-acre lot (the "Site"). The Site is presently developed with a 16,780 (+/-) s.f. two-story dormitory, known as the Poe Dormitory, and ancillary improvements including a dining hall, landscaped areas, pedestrian walkways, paved parking lot and a stabilized fire lane.
- 2. *Prior zone change*. The Applicant previously appeared before the Planning Board to request a zone change for Block 9303, Lot 1 (1.984 (+/-) acres) and Block 8203, Lot 11 (3.66 (+/-) acres) from the existing R-2 residential zone to the E-4 zone, which received Planning Board approval, and was subsequently adopted by Council and implemented by way of Ordinance 2022-15. This zone change permitted an increase of floor area of approximately 39,000 s.f. for the whole Hun School campus.

PROPOSED SITE PLAN

- 3. The Applicant proposes to demolish the existing Poe Dormitory to construct a new 42,000 (+/-) s.f. three-story dormitory/multi-family structure to house resident students and resident faculty members. Site improvements include two courtyards to the east with connectivity to an existing parking lot, one courtyard to the west with connections to existing pedestrian walkways, a proposed generator to the north of the building, and partial relocation of the existing fire lane. The proposed addition will have 60 dorm rooms (114 student beds), 12 resident faculty apartments, common rooms, lounges, common bathrooms, and laundry rooms. The apartments face on the northeastern side of the building along Edgerstoune Road and across from residential property. The student rooms will face the interior of the Hun School campus. Ballasted solar arrays will be installed on the roof, covering appropriately 30% of the flat portions. The dining hall attached to the existing building will remain and is not included in this application.
- 4. The Floor Area Ratio will increase from 13.57% (265,600 s.f./44.93 acres) to 15.06% (294,716 s.f./44.93 acres) as a result of the new development, within the permitted 16% made possible as a result of the zone change adopted by Council under Ordinance 2022-15. The Applicant has indicated that, while the proposed addition is larger than the existing Poe Dormitory, an increase in student population is not anticipated as the students currently residing in Carter Dormitory to the west of the Site will be relocated to the new Poe Dormitory, and the current use of Carter Dormitory will be decommissioned as soon the new dorm is ready for occupancy. The total student bed count will be reduced by 14 beds as a result of this application and the future decommissioning of Carter. Specifically, there are 64 beds in the existing Poe Dormitory and 64 beds in the Carter Dormitory. If approved, the new Poe Dormitory will consist of 60 rooms for student housing and a total of 114 student beds. No work associated with Carter dormitory is proposed under this application.
- 5. Most of the trees between the existing building and the parking lot are to be removed and one tree on the other side of the building is to be removed, 11 trees in total, for

¹ While its use as a dormitory will cease upon relocating all students to the new Poe Dormitory, the Applicant has yet to determine the future use(s) of the existing Carter Dormitory.

which 15 replacement trees are required. In addition, five ash trees will be removed and do not have to be replaced, per the Princeton Shade Tree Ordinance. The proposal includes 18 new trees and shrubs on both sides of the building.

6. The proposed use is permitted.

RELIEF SOUGHT

7. The Applicant seeks preliminary and final major site plan approval. No variances or waivers are required.

THE APPLICANT

8. The Applicant is the Hun School of Princeton, also the owner of the Site.

NOTICE AND HEARING

- 9. Proof of notice and publication was filed and found to be satisfactory.
- 10. The hearing was properly noticed for this application. The notice stated that the hearing would be held at the meeting of the Board scheduled for March 16, 2023. The Board took jurisdiction of the application on that date, but the application was not heard on that date. The hearing was carried to May 4, 2023, and the application was heard on that date. At the hearing, the Applicant and all other interested parties were given the opportunity to present evidence and to be heard.

PLANS

- 11. At the hearing, the Board considered the following plans and reports submitted by the Applicant:
 - Plan of Survey prepared by Nassau Surveying, dated August 11, 2000
 - Plan of Survey prepared by Van Note-Harvey Associates, dated November 10, 2004

- Preliminary/Final Major Site Plans, Civil Engineering Plans CVR, VIC, CE-I through CE-II, and FPPP-I prepared by Van Note-Harvey Associates, dated October 17, 2022
- Preliminary/Final Major Site Plans, Landscape Plans L-100, L-200, 1-201, and L-202 prepared by Clarke Caton Hintz, PC, dated October 17, 2022
- Preliminary/Final Major Site Plans, Architectural Plans G-150, G-151, A-101 through A-104, A-201, and A-202 prepared by Clarke Caton Hintz, PC, dated October 17, 2022
- Preliminary/Final Major Site Plans, Landscape and Lighting Plans L-100, L-150, L-151,
 L-200 through L-202 prepared by Clarke Caton Hintz, PC, dated October 17, 2022

MUNICIPAL REPORTS

- 12. At the hearing, the Board considered the following reports prepared by municipal officials and bodies and consultants to the Board:
 - Memorandum from Justin Lesko, P.P. to the Board, dated April 28, 2023
 - Memorandum from Daniel Weissman, P.E. and Derek Bridger, Zoning Officer, dated April 24, 2023
 - Memorandum from Princeton Environmental Commission to the Board and Justin Lesko, P.P., dated March 1, 2023
 - Letter from Victor Anosike, P.E. to Daniel Weissman, P.E., dated May 2, 2023
 - Memorandum from Princeton Shade Tree Commission to the Board, dated February 15, 2023
 - Memo from Joe Novak, Fire Marshall to Derek Bridger, Daniel Weissman, P.E., and Mike Yeh, dated March 29, 2023
 - Letter from Joseph J. Skupien, P.E. to Daniel Weissman, P.E., dated April 27, 2023
 - Memorandum from Dan Dobromilsky, LLA/PP/LTE to the Board, dated April 29, 2023
 - Memorandum from Daniel Weissman, P.E., to Justin Lesko, dated March 6, 2023
 - Letter from Joseph J. Skupien, P.E., to Daniel Weissman, P.E., dated March 3, 2023

EXHIBITS AND APPLICANT'S REPORTS

- 13. At the hearing, the Board considered the following reports prepared by the Applicant's consultants and advisors and the following exhibits that were introduced as evidence during the course of the hearing:
 - Exhibit A-1 Color rendered site grading plan
 - Exhibit A-2 Animation going around the project
 - Exhibit A-3 C-100 Landscape plan with color, revised 5/4/2023
 - Exhibit A-4 C-202 Not part of the plan set; shows tree designs and notes

- Exhibit A-5 Updated Landscape Plan with stairway, plaza, drainage and lighting area outlined in red (moved to east)
- Exhibit A-6 Showing anticipated LEED credits, potential LEED credits, and LEED credits that are not anticipated
- Application for Site Plan Review Preliminary and Final Major Site Development, dated October 20, 2022, including Narrative
- Major Site Plan Checklist, dated October 20, 2022
- Environmental Information Statement prepared by Van Note-Harvey Associates
- Green Building Checklist Narrative
- Fire Protection Plan prepared by Van Note-Harvey Associates, dated October 17, 2022
- Plan of Survey prepared by Nassau Surveying, dated August 11, 2000
- Plan of Survey prepared by Van Note-Harvey Associates, dated November 10, 2004
- Engineering Report prepared by Van Note-Harvey Associates, dated October 17, 2022
- Tree Survey prepared by Clarke Caton Hintz, dated October 17, 2022
- Revised Engineering Report dated April 21, 2023
- Revise Site Plan Sheets CE-4 through CE-8 and CE-11 dated April 21, 2023
- Groundwater Mounding Analysis and Chart dated April 25, 2023
- Low Impact Development Checklist dated April 26, 2023

TESTIMONY AND PUBLIC INPUT

14. The testimony presented by and on behalf of the Applicant and advice by Board consultants were given by the following persons:

Christopher DeGrezia, Esq. represented the Applicant. Jonathan Brougham, Head of School and Michael Chaykowsky, its Director of Operations; Stephen Doyle, R.A. and John D. Hatch, R.A., its architects; Ralph A. Petrella, P.E., its engineer; Mark Schulz, its Project Manager; and Geoffrey Vaughn, L.L.A., its landscape architect, testified on the Applicant's behalf.

The following municipal staff and professionals gave advice to the Board at the hearing:

Justin Lesko, AICP, P.P.; Dan Dobromilsky, L.L.A.; Victor Anosike, P.E.; Joseph J. Skupien, P.E.; Daniel Weissman, P.E.; Derek Bridger, Zoning Officer; and Gerald J. Muller, Esq.

The statements of the members of the public made during the course of the hearing may be summarized as follows:

Ralph DeSimone, a member of the public, expressed support for the project.

FINDINGS AND CONCLUSIONS RE: PRELIMINARY AND FINAL MAJOR SITE PLAN APPROVAL

- 15. The following findings are made with respect to the Site Plan criteria set forth in Sections 10B-226 (a) through (p) of the Ordinance:
- (a) Ecological Considerations. Pursuant to Section 10B-226(a) of the Ordinance, the development shall result in minimum impairment of the regenerative capacity of aquifers and other groundwater supplies, result in minimum degradation of unique land types and have minimal adverse impact upon the critical areas.

The new Poe Dormitory is being built on a site already developed with driveways, buildings, walkways, and parking and lawn areas. The Site is not within an area of critical or endangered species and does not contain any mapped wetlands. The application includes appropriate stormwater management measures to account for an increase in impervious coverage.

Subject to the Applicant meeting the conditions set forth herein addressing this criterion, the Board finds that this criterion is satisfied.

(b) Landscape. Pursuant to Section 10B-226(b) of the Ordinance, the historic and natural character of the landscape shall be preserved, insofar as practical and environmentally desirable, by minimizing tree and soil removal. If the development of the site necessitates the removal of established trees, special attention shall be given to the planting of replacements or to other landscape treatment.

The Applicant proposes to remove 11 trees, requiring 15 replacement trees per the Princeton Shade Tree Ordinance. Five ash trees are also being removed, which do not require replacement. The proposed landscaping plan includes 18 trees and a variety of shrubs throughout the Site.

Subject to the Applicant meeting the conditions set forth herein addressing this criterion, the Board finds that this criterion is satisfied.

(c) Relation of Proposed Structures to the Environment. Pursuant to Section 10B-226(c) of the Ordinance, proposed structures are to be related harmoniously to themselves, the terrain, existing buildings, roads and historically significant features, if any.

The proposed building and improvements are harmonious to themselves and the surrounding area. Adequate lighting is being provided for pedestrians throughout the Site and within the courtyards, with no cognizable light trespass expected.

Accordingly, the Board finds that this criterion is satisfied.

(d) Scenic, Historical, Archeological, and Landmark Sites. Pursuant to Section 10B-226(d) of the Ordinance, scenic, historical, archaeological, and landmark sites and features that are located on or adjacent to the proposed development shall be preserved and protected insofar as practicable.

The Site is not located within an historic district and there are no scenic, historical, archeological or landmark sites on or adjacent to the proposed development. This criterion therefore does not apply.

(e) Surface Water Drainage. Pursuant to Section 10B-227(e) of the Ordinance, a proposed development shall be designed to provide for proper surface water management through a system of controlled drainage.

The proposed development increases impervious coverage by 10,176 s.f., disturbing more than a half acre of land, and is therefore required to meet the municipal stormwater management requirements. Because the development does not include any new Regulated Motor Vehicle Surface, no stormwater quality control measures are required, per Princeton's Stormwater Control Ordinance ("SCO"). Based on the soil classification, the

recommendation of the municipal stormwater management consultant is that there is no calculable annual groundwater recharge occurring at the Site and the development therefore meets the SCO's groundwater recharge requirements. In terms of stormwater quantity control, runoff for the 2, 10, and 100-year storms will be managed through a subsurface infiltration/detention basin that will meet peak runoff rates and infiltrate the SCO's Stormwater Quality Storm runoff from impervious surfaces. The combination of infiltration and detention meets the SCO's stormwater quantity control Green Infrastructure requirements. The Applicant must file a deed notice for all stormwater management measures and obtain an annual Stormwater Management Maintenance Permit from the Engineering Department.

Subject to the Applicant meeting these and other conditions set forth herein addressing this criterion, the Board finds that this criterion is satisfied.

(f) Driveway Connections to Public Streets. Pursuant to Section 10B-226(f) of the Ordinance, all entrances and exit driveways to public streets shall be located with due consideration for traffic flow and so as to afford maximum safety to traffic on the public streets.

No changes to the existing driveway connections to public streets are proposed. The Site will continue to be accessible via the two full-movement driveways along Edgerstoune Road. Accordingly, the Board finds that this criterion is satisfied.

(g) Traffic Effects. Pursuant to Section 10B-226 (g) of the Ordinance, the site development proposal shall minimize adverse traffic effects on the road networks serving the area in question either existing or included in the Master Plan.

No increase in total student housing population is expected from this application, and, as such, no additional traffic is anticipated. Accordingly, the Board finds that this criterion is satisfied.

(h) Pedestrian and Bicycle Safety. Pursuant to Section 10B-226 (h) of the Ordinance, pedestrian and bicycle circulation shall be separated from motor vehicle circulation.

Safe and convenient pedestrian circulation shall be provided on the site and its approaches. The pedestrian plan shall be designed to minimize adverse effects of vehicular traffic upon sidewalks and bicycle paths.

Pedestrian circulation will be improved under this application. Two pedestrian paths will be installed on the northeast side of the building to connect to the existing parking lot. Sidewalks are proposed on the southwest side of the building that will provide connection to the main part of the campus. No changes or enhancements to bicycle circulation are proposed. Accordingly, the Board finds that this criterion is satisfied.

(i) On-Site Parking and Circulation. Pursuant to Section 10B-226 (i) of the Ordinance, the location, width, and layout of interior drives shall be appropriate for the proposed interior circulation. The location and layout of accessory off-street parking and loading spaces shall provide for efficient circulation and the safety of pedestrians and vehicles.

<u>Vehicular parking and circulation</u>. No changes to vehicular parking or circulation are proposed under this application. The total number of parking spaces on the campus exceeds the amount required by Section Tl0B-282 and is sufficient to meet the campus's demand.

Bicycle parking. Per Section Tl0B-282.2, dormitories must provide one bicycle parking space for each 2.5 beds. The proposed dormitory will house 114 student beds, which generates 46 required bicycle parking spaces. Of those 46 spaces, 50% must be long term and consist of secure, weather-protected facilities. Per Section Tl0B-282.2, dwellings must provide one bicycle parking space for each 1.6 bedrooms. The 12 resident faculty apartments contain a total of 23 bedrooms, which generates 14 required bicycle parking spaces. Of these 14 spaces, 80% must be long term. Thus, in total, the Applicant must provide 34 long-term and 26 short-term bicycle parking spaces (60 in total). The Applicant agreed, as a condition of this approval, to meet the minimum bicycle parking space requirement within Carter dormitory and other locations, to be designed in consultation with the Zoning Officer and Land Use Engineer.

Subject to the Applicant meeting this and other conditions relating to this criterion, the Board finds that this criterion is satisfied.

(j) Utility Services. Pursuant to Section 10B-226 (j) of the Ordinance, the Applicant must achieve assurances that the necessary infrastructure and utilities are available from on-site, municipal, or private systems, including sanitary sewer, potable water, and irrigation water.

The property is currently served by, and will continue to be served by, electric, communications, sanitary, water, and gas services. A new dedicated 6-inch fire service main will serve the new building's fire suppression system. If required by the municipal Fire Official, the Applicant will install a booster pump to supplement the substandard hydrant flows provided by NJAW.

Subject to the Applicant meeting the conditions set forth herein relating to this criterion, the Board finds that this criterion is satisfied.

(k) Disposal of Wastes. Pursuant to Section 10B-226 (k) of the Ordinance, there shall be adequate provision for the disposal of all solid, liquid, and gaseous wastes and for the avoidance of odors and other air pollutants.

Waste and recyclables will continue to be managed by the Applicant through the entire Hun Campus and stored at the existing service yard. No additional storage containers or service yards are proposed under this application. Accordingly, the Board finds that this criterion is satisfied.

(l) Noise. Pursuant to Section 10B-226 (l) of the Ordinance, all applicable federal, state, and local regulations dealing with the control of outside noise which is expected to be generated at the site shall be complied with.

The Applicant will be required to comply with Princeton's noise Ordinance and limits on construction hours. Accordingly, the Board finds that this criterion is satisfied.

(m) Advertising Features. Pursuant to Section 10B-226 (m) of the Ordinance, the size, location, height, design color, texture, lighting and materials of the signs or outdoor advertising structures features shall not detract from the design of proposed buildings and structures of the surrounding properties

No advertising features are proposed. This criterion therefore does not apply.

(n) Special Features. Pursuant to Section 10B-226(n) of the Ordinance, outside storage areas, service and machinery installations, service areas, truck loading areas, utility buildings and structures and similar accessory areas and structures shall be subject to such setbacks, screen plantings or other screening methods as shall reasonably be required to prevent any adverse effect upon the environment or nearby property.

None are proposed. Therefore, this criterion does not apply.

(o) Waterway Corridors. Pursuant to Section 10B-226(o) of the Ordinance, site plans shall be designed so as to preserve from disturbance waterway corridors.

No waterways are on or adjacent to the site. This criterion therefore does not apply.

(p) Special Technological Impacts. Pursuant to Section 10B-226(p) of the Ordinance, where the proposed site development involves emissions, noise, wastes, materials, equipment, or other hazards which require specialized expertise to evaluate, the administrative officer shall refer the Applicant's submissions to the municipal-retained environmental consultant (or to several consultants where more than one field of expertise is involved), requesting an independent review of the environmental impact of the project to be set forth in a report to the board having review jurisdiction. The cost of these studies shall be charged to the Applicant's escrow account established pursuant to section 10B-32.

None are anticipated. Therefore, this criterion does not apply.

16. Conclusion re preliminary and final major site plan approval. The Board finds that, with the conditions imposed, the Applicant has satisfied all municipal major site plan requirements. It finds that the proposed site plan will improve on-campus housing in a way that advances the Municipality's Master Plan and the purposes of the E-4 zone. Accordingly, preliminary and final major site plan approval is granted.

CONDITIONS REQUIRED

17. The Board finds that, in order to address the concerns expressed during the course of the hearing, the approval granted is subject to the following conditions:

Site plan

- a. Curb stops shall be installed for the parking spaces by the existing shed.
- b. Two parking spaces in the lot adjacent to Poe Dormitory shall be converted to EVSE and an additional two spaces shall be converted to Make-Ready for electric vehicle charging, as defined by state regulations.
- c. The Applicant shall update the plans to show the revised location of the seating benches for the Lawn Tennis Court

Landscaping

- d. More diversity of shrubs along the base of the building shall be provided.
- e. The Municipal Trees and Shrubs Ordinance (Chapter 22) requires contractors to safeguard during construction activities on the ground around trees, defined as the "Tree Protection Zones (TPZs)." Protected trees shall include those on the construction site and trees on adjacent property, including in the municipal right-of-way, whose TPZ would overlap the property line. Fencing is required to protect these areas. The Municipal Arborist and Applicant's professionals shall determine and agree on the TPZ based on factors such as the tree's species, age, structure, and health, as well as the soil conditions.
- f. To the extent possible through reasonable and good faith efforts, the Applicant shall adjust the proposed improvements to maximize tree preservation for trees along the mall through

interaction with and approval by the Municipal Landscape Architect, Municipal Arborist, and Engineering Department and Planning Department.

In particular, the stairway, plaza, drainage, and lighting running down toward the mall shall be shifted to the east rather than west and fit in where the Sweetgum is now located as shown on Exhibit A-5, with the stair, plaza, drainage and lighting area outlined in red.

- g. The tree removal and preservation plan in the Demolition Plan, Tree Survey and Landscape Plan present different information and shall be revised to contain consistent specifications. Definitive tree mitigation requirements shall be determined and presented on the revised site plans in a chart.
- h. Some of the tree selections and locations warrant further review relative to their proximity to the building and the design intent, e.g., broad canopy Honeylocust trees proposed within five feet of the building. Some of the shrub planting may conflict with mature tree roots and a relocated storm water tank.
 - i. The Applicant shall avoid Red List materials.
- j. The Landscaping Plan shall be updated to reflect the representation made during the May 4, 2023 hearing, and reviewed by and be subject to approval by staff.

Storm water management

- k. The Applicant shall make a good faith effort to meet the new Stormwater Management Standards set forth in the NJDEP's pending Inland Flood Protection Rule.
- 1. The proposed drainage to the west of the building and the utility lines to the east of the building are in close proximity to existing trees shown to remain. The Applicant shall make a good faith effort to bundle the utilities in a manner satisfactory to staff to preserve such trees during excavation.
- m. The Applicant shall record a deed notice for all stormwater management measures subject to the review and approval of the Board Attorney and shall obtain an annual Stormwater Management Maintenance Permit from the Engineering Department.
- n. The Applicant shall submit an Operations and Maintenance (O&M) Manual for the proposed stormwater management measures that meets the requirements of the Princeton SCO. It shall be subject to the review and approval of the Municipal Storm Water Management Consultant.
- o. The text on page 5 of the Applicant's Revised Engineering Report shall be corrected to describe the rainfall distribution used in the stormwater design as the NOAA Type C Storm.

Lighting

p. The entrances/exits shall be lit overnight. Such lighting shall be on a timer or a light cell to provide for same.

Circulation and parking

- q. In consultation with the Zoning Officer and Land Use Engineer, the Applicant shall meet the minimum bicycle parking requirements within the Carter Dormitory and other locations.
- r. The Applicant shall show the existing ADA parking spaces on the site plan and illustrate the anticipated accessibility from and to the parking lot given the locations of both proposed concrete sidewalks. The Applicant shall work with staff to ensure the parking lot pavement striping and sidewalk design to provides adequately unobstructed pedestrian access between the sidewalks and parking lot.
- s. The Applicant shall work out a provision of long and short term bicycle parking, which shall be near the entrances, in compliance with the Municipal Code. The results shall be subject to the review and approval of municipal staff.
- t. The Applicant shall submit a fire truck turning analysis and exhibit at the modified fire lane. It shall be subject to the approval of the Municipal Traffic Engineer.

Other

- u. No later than forty-five (45) days after the issuance of the final certificate of occupancy for the new Poe Dormitory, the Applicant shall submit an affidavit satisfactory to the Board Attorney stating that the existing Carter Dormitory will not be used for student housing.
- v. The Applicant shall update the Zoning Table on Sheet CE-3 to indicate that the proposed Roof High Point Elevation is 212.3.
- w. The Applicant shall submit to the Board Attorney, subject to its review and approval, the uniform lease agreement it uses for leasing of faculty units providing that the occupancy is limited to such faculty member and his or her family.
- x. The Applicant shall pay the sewer connection fee prior to the issuance of the building permit. The fee shall be calculated at the time that such payment becomes due.
- y. The Applicant shall provide details of the proposed generator subject to staff review and approval.
- z. If required by the Fire Marshall, the Applicant shall install a booster pump to supplement the substandard hydrant flows provided by NJAW.
- aa. The Applicant's Engineer shall provide a cost estimate for all site improvements and public improvements, if any, subject to the review and approval of the Land Use Engineer, in order to determine the amount required for a Performance Guarantee and inspection fees.
- bb. The Applicant shall increase the use of rapidly renewable materials where reasonably possible.

cc. The following agency approvals may be required:

- Mercer County Planning Board
- Mercer County Soil Conservation Service
- Delaware and Raritan Canal Commission
- Princeton Sewer Department
- Stony Brook Regional Sewerage Authority
- NJDEP Treatment Works approval

CONCLUSION

Based on the foregoing, the Board at its May 4, 2023 meeting voted to approve the plans with revisions made therein and as supplemented and modified by the exhibits and to grant the relief identified above subject to the conditions and to be revised in accordance with the conditions set forth herein.

Adopted:

Vote on motion: 5/4/2023

FOR: Wilson, Bottighemier, Capozzoli, Cohen, O'Donnell, Quinn, Sacks, Taylor, Tech-Czarny

ABSENT: Chao, McGowen

AGAINST: No one ABSTAIN: No one

Vote on findings: __/__/2023